

**CONCURRING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: *Contel of the South, Inc. d/b/a Verizon Mid-States, et al. v. Operator Communications, Inc.*, File No. EB-05-MD-007

While I agree with the Commission's decision in this case and believe that the parties are entitled to a decision, I concur in this Order to point out that the period of uncompensated payphone calls at issue occurred over 10 years ago, and the Defendant has subsequently sold the majority of its corporate assets and no longer provides telecommunications services. Thus, the practical impact of today's decision appears to be somewhat limited. I therefore must question whether the damages awarded to the Complainants at this late date constitute merely a Pyrrhic victory.